

## Message Text

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ACTION SS-25

INFO OCT-01 ADP-00 SSO-00 /026 W

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O 302030Z AUG 73

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC IMMEDIATE 4963

C O N F I D E N T I A L SAN JOSE 3092

EXDIS

EYES ONLY FOR L-FELDMAN AND ARA-KUBISCH

E.O. 11652: GDS

TAGS: PINT, EFIN, PGOV, CS

SUBJECT: VESCO CASE: REQUEST FOR DOCUMENTS

REF: STATE 172550

1. I OBJECT IN THE STRONGEST TERMS TO  
RELEASE OF THE MEMCONS AND CABLES REFERRED  
TO (ITEMS A, B, C, F AND G, PARA 2 REFTEL).  
IF THESE DOCUMENTS ARE INTRODUCED INTO  
EVIDENCE AND BECOME PUBLIC IN THAT FASHION  
AND FOR THAT PURPOSE IT WOULD CAUSE QUITE  
GRAVE PROBLEMS IN RELATIONS BETWEEN OUR TWO  
GOVERNMENTS AND BETWEEN THE EMBASSY AND THE  
GOCR. IT WOULD MATERIALLY IMPAIR MUTUAL  
CONFIDENCE AND TRUST, AND THIS MISSION'S  
CAPACITY TO MAINTAIN CONSTRUCTIVE  
RELATIONS. IT WOULD MAKE MY PERSONAL  
POSITION UNTENABLE; I WOULD HAVE NO  
CAPACITY TO DEAL WITH FIGUERES OR HIS  
GOVERNMENT AND TO CARRY OUT MY RES-  
PONSIBILITIES. ACCORDINGLY, IF THE  
DEPARTMENT DECIDES TO RELEASE THESE  
DOCUMENTS, IT SHOULD ALSO REPLACE ME  
FORTHWITH.

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2. I WISH PARTICULARLY TO EMPHASIZE THE

FOLLOWING FOR YOU:

A) AS NOTED IN SAN JOSE 1565, CONVERSATIONS REPORTED IN THESE CABLES AND MEMCONS WERE IN THE NATURE OF COMMUNICATIONS BETWEEN TWO GOVERNMENTS. FIGUERES SPOKE TO ME BECAUSE I WAS THE REPRESENTATIVE OF THE USG. THERE IS NO QUESTION BUT THAT HE INTENDED IT TO BE OFFICIAL AND CONFIDENTIAL. HE WOULD NOT EXPECT HIS CONVERSATION WITH AN AMBASSADOR TO BE MADE PUBLIC IN THE DETAIL OF A MEMCON OR CABLE. THEREFORE, TO RELEASE THESE WOULD VIOLATE THE PRINCIPLE OF CONFIDENTIALITY IN COMMUNICATIONS BETWEEN TWO GOVERNMENTS WITH ALL OF THE CONSEQUENCES THAT WOULD HAVE ON FUTURE WILLINGNESS TO TRUST OR BE CANDID WITH US.

B) FOR THE US TO IMPLICATE OR ACCUSE (MUCH LESS INDICT IF IT EVER CAME TO THAT) ANOTHER COUNTRY'S CHIEF OF STATE IS BAD ENOUGH. TO USE CUSTOMARILY PRIVILEGED CONVERSATIONS BETWEEN THE TWO GOVERNMENTS TO DO IT BOGGLES THE MIND. OBVIOUSLY, FIGUERES WOULD PERSONALIZE THIS AND CONSTRUCT IT AS A PERSONAL ATTACK ON HIM AND HIS REPUTATION; SINCE I AM SURE HE THINKS HE HAD ACTED IN GOOD FAITH AND WITH NO INTENT TO OBSTRUCT JUSTICE, HE WOULD BELIEVE THE USG MALICIOUSLY AND PURPOSEFULLY DISTORTED HIS ACTIONS TO SMEAR HIM. SINCE MY REPORTS WOULD BE INVOLVED, HE WOULD PERSONALIZE HIS IRE AGAINST ME AS WELL, AND CONSIDER ME PART OF THAT ATTACK. ALL OF WHICH IS WHY MY PERSONAL POSITION AND CAPACITY TO REPRESENT THE USG COULD NOT BE MAINTAINED. FIGUERES' VINDICTIVENESS AND OUTRAGE WHEN HE FEELS ATTACKED PERSONALLY MAKES IT HARD TO EXAGGERATE THE PROBABLE ADVERSE IMPACT ON THIS POST'S CAPACITY TO MAINTAIN RELATIONS WITH THE GOCR.

C) THE COSTA RICAN PUBLIC GENERALLY IS QUITE LIKELY TO CONSTRUCT THIS KIND OF CONFIDENTIAL

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EVIDENCE AND JUDICIAL IMPLICATION OF FIGUERES AS A PERSONAL ATTACK ON HIM AND ON COSTA RICA. IF THIS OCCURS ANYWHERE NEAR ELECTION TIME, IT WILL BE SEEN AS A DELIBERATE ATTEMPT TO AFFECT THE ELECTION RESULTS, AND THE FACT THAT THAT IS UNTRUE WOULD IN NO WAY MITIGATE THAT PERCEPTION. AGAIN, AT BEST, IT WILL BE

SEEN AS A LOW BLOW BEYOND THE PALE OF  
FRIENDLY RELATIONS, AND THE US POSITION  
HERE WILL BE HURT FOR SOME TIME TO COME.

D) FINALLY, I SHOULD OBSERVE THAT THE  
MEMCONS AND CABLES CONTAIN FAR MORE THAN  
ACCOUNTS OF CONVERSATIONS. THEY CONTAIN  
MY FRANK SPECULATION AND SURMISES INTENDED  
FOR THE SOLE BENEFIT OF END USERS. THESE  
COMMENTS CAN BE OF LITTLE USE AS EVIDENCE,  
BUT THEY WILL HURT ENORMOUSLY IN CREATING  
THE PROBLEMS I REFER TO ABOVE.

3. RE PARA 5, I THINK IT ESSENTIAL TO ASK  
FIGUERES' CONSENT TO DISCLOSURE OF THE  
TWO LETTERS BEFORE THEY ARE USED. I  
SUSPECT HE WOULD NOT OBJECT SIMPLY TO  
THEIR BECOMING PUBLICLY KNOWN, BUT  
OBVIOUSLY HE MAY OBJECT TO THE PURPOSE  
TO WHICH THEY MIGHT BE PUT, I.E. TO ACCUSE HIM.

4. I THINK THE ONLY POSSIBLY TENABLE POSITION  
WOULD BE TO LIMIT THE RELEASE OF DOCUMENTS  
TO THE TWO LETTERS, AND I URGE THE DEPARTMENT  
TO HOLD TO THAT POSITION, IF, INDEED, IT  
CANNOT AVOID RELEASE OF ANY DOCUMENTS AT ALL.

5. ORIGINALS BEING POUCHED AS INSTRUCTED.  
VAKY

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## Message Attributes

**Automatic Decaptioning:** Z  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** EXTRADITION, PUBLIC DISCLOSURE, DOCUMENTS, COURT PROCEEDINGS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 30 AUG 1973  
**Decaption Date:** 28 MAY 2004  
**Decaption Note:** 25 YEAR REVIEW  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Enclosure:** n/a  
**Executive Order:** GS  
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**Original Handling Restrictions:** EXDIS  
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**Page Count:** 3  
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**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** EXDIS  
**Reference:** 73 STATE 172550  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** golinofr  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 23 JAN 2002  
**Review Event:**  
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**Review Media Identifier:**  
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**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** VESCO CASE: REQUEST FOR DOCUMENTS  
**TAGS:** PFOR, PGOV, US, CS, (VESCO, ROBERT L)  
**To:** ES  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005